

Applicant submits herewith a Declaration of Prior Invention to Overcome Cited Patent or Publication under 37 C.F.R. § 1.131. The Declaration shows that the invention of this application was actually reduced to practice at least by a date that is prior to February 26, 1999, that is the effective date of Ryan, thereby removing Ryan as a prior art reference.

Applicant brings to the Examiner's attention that the Ryan application issued as US 6,449,679 B2 on September 10, 2002.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-19 under 35 U.S.C. § 102(e) as being anticipated by Ryan.

***Rejection Under 35 U.S.C. § 103***

5. The Examiner rejects claims 20-23 under 35 U.S.C. § 103(a) as being unpatentable over Nizar et al. (US 6,378,056) in view of Ryan (US 2001/0042163 A1).

Applicant submits herewith a Declaration of Prior Invention to Overcome Cited Patent or Publication under 37 C.F.R. § 1.131. The Declaration shows that the invention of this application was actually reduced to practice at least by a date that is prior to February 26, 1999, that is the effective date of Ryan, thereby removing Ryan as a prior art reference.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 20-23 under 35 U.S.C. § 103(a) as being unpatentable over Nizar in view of Ryan.

42P7149  
EHT/JAH/phs

-2-

In re Nizar et al.  
09/420,887

**Conclusion**

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: March 24, 2003

By:

  
James Henry  
Reg. No. 41,064

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025  
(714) 557-3800

42P7149  
EHT/JAH/phs

-3-

In re Nizar et al.  
09/420,887